

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

YANCEY WALSH

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§
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§
§

VS.

§ CASE NO. _____

TWIN CITY TRANSPORTATION, INC.,
STOUGHTON RENTAL AND LEASING
COMPANY, LLC, AND
THOMAS EDWARD HODGES, JR.

§ (Jury)

**NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. §1441(b) (DIVERSITY)**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendants Twin City Transportation, Inc. and Stoughton Rental and Leasing Company, LLC, hereby remove to this Court, the state court action described below.

1. The above entitled action was originally filed and is pending in the 71st Judicial District Court of Harrison County, Texas under Cause No. 21-0263. Citation naming Stoughton Rental and Leasing Company, LLC as Defendant was served, together with Plaintiff's Original Petition, on or about March 29, 2021. Citation naming Twin City Transportation, Inc. as Defendant was served, together with Plaintiff's Original Petition, on or about April 8, 2021. No other proceedings have occurred in the 71st Judicial District Court of Harrison County, Texas.

2. This is a civil action in which Plaintiff seeks judgment against Defendants regarding an automobile accident.

3. At the commencement of this action in the 71st Judicial District Court of Harrison County, Texas, and at all times thereafter, Plaintiff Yancey Walsh was and is a resident of Harrison County,

Texas; and Defendant Twin City Transportation, Inc. in a corporation established under the laws of State of Arkansas, with its principal place of business in the State of Arkansas; and Defendant Stoughton Rental and Leasing Company, LLC. is a corporation established under the laws of the State of Wisconsin, with its principal place of business in the State of Wisconsin.

4. This Court has original jurisdiction over this action pursuant to 28 U.S.C. §1332, and this action may be removed under the provisions of 28 U.S.C. §1441(b).

5. Pursuant to 28 U.S.C. § 1441(b), an action shall be removable “if none of the parties in interest properly joined and served as defendants is a citizen of the state in which such action is brought.”¹

6. Here, Plaintiff alleges causes of action based entirely on the motor vehicle accident which occurred on or about March 29, 2019 in Harrison County, Texas.² Thus, because Defendant Twin City Transportation, Inc. is a corporation established under the laws of the State of Arkansas, with its principal place of business in the State of Arkansas; and Defendant Stoughton Rental and Leasing Company, LLC is a corporation established under the laws of the State of Wisconsin, with its principal place of business in the State of Wisconsin, and Plaintiff was and is a resident of Harrison County, Texas, this action is removable under 28 U.S.C. § 1441(b) and this Court has original jurisdiction over this action pursuant to 28 U.S.C. §1332.³

5. A true and correct copy of all process, pleadings and orders, being Plaintiff's Original Petition and citations served on Petitioner are attached hereto as Exhibit "A" and incorporated herein the

¹ 28 U.S.C. § 1441(b)

² See Plaintiff's Original Petition, *Exhibit A*.

³ 28 U.S.C. § 1441(b); 28 U.S.C. §1332.

same as if set forth at length.

6. Thirty (30) days have not yet expired since this action became removable to this Court by service of summons or receipt of pleadings creating a right of removal.

WHEREFORE, PREMISES CONSIDERED, Petitioners Twin City Transportation, Inc. and Stoughton Rental and Leasing Company, LLC pray that the above entitled action be removed from the 71st Judicial District Court of Harrison County, Texas to the United States District Court for the Eastern District of Texas, Marshall Division.

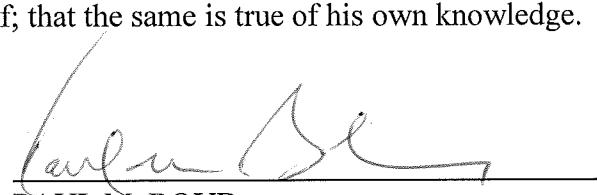
Respectfully submitted,

BY: /s/ Paul M. Boyd
PAUL M. BOYD
State Bar No. 02775700
BENJAMIN T. BONNER
State Bar No. 24096171
BOYD BOYD & GIDDENS
1215 Pruitt Place
Tyler, Texas 75703
903/526-9000
903/526-9001 (FAX)
pboyd@boydlawtexas.com
bbonner@boydlawtexas.com

ATTORNEY FOR DEFENDANTS TWIN
CITY TRANSPORTATION, INC. AND
STOUGHTON RENTAL AND LEASING
COMPANY, LLC

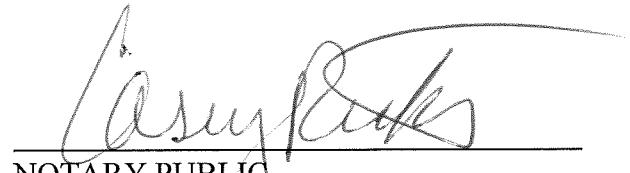
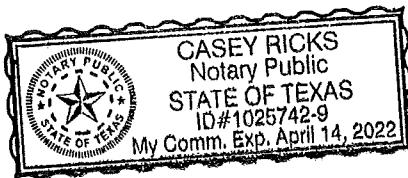
STATE OF TEXAS §
§
COUNTY OF SMITH §

BEFORE ME, the undersigned authority, on this day personally appeared PAUL M. BOYD, who by me being duly sworn, on oath states that he is the attorney for Petitioners Twin City Transportation, Inc. and Stoughton Rental and Leasing Company, LLC that he has the authority to make this verification; that he has read the foregoing Notice of Removal of Action Under 28 U.S.C. §1441(b) (Diversity) and knows the contents thereof; that the same is true of his own knowledge.



PAUL M. BOYD

SUBSCRIBED AND SWORN TO before me the undersigned notary public by the said PAUL M. BOYD, on this the 16th day of April, 2021, to certify which witness my hand and official seal of office.



Casey Ricks

NOTARY PUBLIC
STATE OF TEXAS

CERTIFICATE OF SERVICE

I hereby certify that on this the 16th day of April, 2021, a true and correct copy of the above and foregoing instrument was forwarded via electronic means to:

Mr. Brent Goudarzi
GOUDARZI & YOUNG, L.L.P.
P.O. Drawer 910
Gilmer, TX 75644
[ATTORNEY FOR PLAINTIFF]

/s/ Paul M. Boyd
PAUL M. BOYD

HARRISON COUNTY DISTRICT CLERK, SHERRY GRIFFIS

CASE SUMMARY

CASE NO. 21-0263

YANCEY WALSH
VS.
TWIN CITY TRANSPORTATION, INC., STOUGHTON
RENTAL AND LEASING COMPANY, LLC, AND
THOMAS EDWARD HODGES, JR.

Location: 71st District Court
Judicial Officer: Morin, Brad
Filed on: 03/19/2021

CASE INFORMATION

Case Type: Injury/Damage - Motor Vehicle

Case Status: 03/19/2021 Filed

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number 21-0263
Court 71st District Court
Date Assigned 03/19/2021
Judicial Officer Morin, Brad

PARTY INFORMATION

Plaintiff **WALSH, YANCEY**

Lead Attorneys
GOUDARZI, BRENT
Retained
903-843-2544(W)

Defendant **HODGES, THOMAS EDWARD, Jr.**
White Male
DOB: 03/21/1960

STOUGHTON RENTAL AND LEASING COMPANY, LLC

TWIN CITY TRANSPORTATION, INC.

DATE

EVENTS & ORDERS OF THE COURT

OTHER EVENTS AND HEARINGS

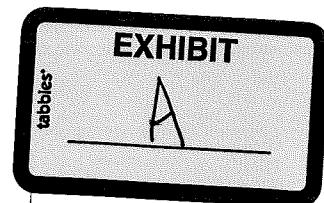
04/12/2021  CITATION RETURNED SERVED
SERVED 4/8/2021 AT 9:40AM

04/06/2021  CITATION RETURNED SERVED
ON 3.30.21

03/22/2021  MEMO
RECEIPT OF ESERVICE OF CITATIONS

03/22/2021 **Citation**
STOUGHTON RENTAL AND LEASING COMPANY, LLC
Served: 03/30/2021
Response Due: 04/19/2021
Anticipated Server: CERTIFIED MAIL/CLERK
Actual Server: CERTIFIED MAIL/CLERK
Return Date/Time: 04/06/2021
Serving Method: Mail
Service Tracking Comment: 7020 1810 0001 8293 1771

03/22/2021  CITATION BY CERTIFIED MAIL



HARRISON COUNTY DISTRICT CLERK, SHERRY GRIFFIS

CASE SUMMARY

CASE NO. 21-0263

	ISSUED TO / 7020 1810 0001 8293 1771
03/22/2021	<p>Citation HODGES, THOMAS EDWARD, Jr. Unserved Anticipated Server: Private Process Server</p>
03/22/2021	<p><input checked="" type="checkbox"/> CITATION PERSONAL ISSUED TO / ESERVED TO ATTORNEY / <i>goudarziyoung@goudarzi-young.com</i></p>
03/22/2021	<p>Citation TWIN CITY TRANSPORTATION, INC Served: 04/08/2021 9:40 AM Response Due: 05/03/2021 Anticipated Server: Private Process Server Actual Server: Private Process Server Return Date/Time: 04/12/2021 2:27 PM Serving Method: In Person</p>
03/22/2021	<p><input checked="" type="checkbox"/> CITATION PERSONAL ISSUED TO / ESERVED TO ATTORNEY / <i>goudarziyoung@goudarzi-young.com</i> / SERVED 4/8/2021 AT 9:40AM</p>
03/22/2021	<p><input checked="" type="checkbox"/> EFILE TRANSMITTAL</p>
03/19/2021	<p><input checked="" type="checkbox"/> REQUEST Party: Attorney GOUDARZI, BRENT REQUEST TO ISSUE CITATIONS AND ESERVE BACK TO ATTORNEY</p>
03/19/2021	<p><input checked="" type="checkbox"/> Original Petition (OCA) <i>PLAINTIFF'S ORIGINAL PETITION</i></p>

DATE	FINANCIAL INFORMATION
	Plaintiff WALSH, YANCEY
	Total Charges 379.00
	Total Payments and Credits 379.00
	Balance Due as of 4/16/2021 0.00

Lori Hightower

Deputy

NO. 21-0263

YANCEY WALSH

IN THE DISTRICT COURT

VS.

HARRISON COUNTY, TEXAS

**TWIN CITY TRANSPORTATION, INC.,
STOUGHTON RENTAL AND LEASING
COMPANY, LLC, AND
THOMAS EDWARD HODGES, JR.**

71ST JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, YANCEY WALSH, hereinafter called Plaintiff, complaining of TWIN CITY TRANSPORTATION, INC., STOUGHTON RENTAL AND LEASING COMPANY, LLC, and THOMAS EDWARD HODGES, JR., hereinafter called Defendants, and for cause of action would respectfully show unto the Court the following:

DISCOVERY CONTROL PLAN

I.

Discovery in this cause of action is intended to be conducted under Level 2 of Rule 190.3,

Texas Rules of Civil Procedure.

JURISDICTION AND VENUE

II.

Venue is proper in Harrison County pursuant to Chapter 15, Texas Civil Practice and Remedies Code, in that this is the county in which all or a substantial part of the events or omissions giving rise to the claim occurred.

Jurisdiction is proper in this Court in that this is a lawsuit seeking damages in excess of the minimum jurisdictional limits of the district courts of the State of Texas.

PARTIES AND SERVICE

III.

Plaintiff, YANCEY WALSH, resides in Marshall, Texas. The last three digits of Plaintiff's social security number are 111. The last three digits of Plaintiff's state identification number are 059.

Defendant, TWIN CITY TRANSPORTATION, INC., is an Arkansas corporation doing business in the State of Texas and may be served with process by serving its registered agent for service of process, Terry Burnett Jr, at 2300 West 60th Street, Little Rock, Arkansas 72209. Defendant may also be served with process by serving its President, Terry Burnett, at 2300 West 60th Street, Little Rock, Arkansas 72209.

Defendant, STOUGHTON RENTAL AND LEASING COMPANY, LLC, is a Wisconsin limited liability company and may be served with process by serving its registered agent for service of process, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, at 211 E. 7th Street, Suite 620, Austin, Texas 78701-3218, by certified mail, return receipt requested, issued by the District Clerk of Harrison County, Texas.

Defendant, THOMAS EDWARD HODGES, JR., resides at 2747 Mount Holly Rd, Camden, Arkansas 71701, and may be served with process at this address or wherever he may be found.

FACTS AND CAUSES OF ACTION

IV.

At approximately 9:30 a.m. on March 29, 2019, Plaintiff was traveling in 1995 GMC Sierra pickup, southbound on U.S. Highway 59 approaching the intersection with Bussey Road in Harrison

County, Texas. Defendant, THOMAS EDWARD HODGES, JR., was operating a 2018 Volvo tractor, owned and/or leased by Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, and was towing a 2019 Stoughton Trailers, Inc. trailer owned and/or leased by Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, traveling eastbound on Bussey Road, approaching a stop sign at the intersection of Bussey Road and U.S. Highway 59 in Harrison County, Texas, while in the course and scope of his employment with Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC. Suddenly and without warning, Defendant, THOMAS EDWARD HODGES, JR., totally disregarded the stop sign located at the intersection, proceeded into the intersection and into the path of Plaintiff, colliding with the vehicle Plaintiff was driving and subjecting Plaintiff to tremendous force.

V.

Defendant, THOMAS EDWARD HODGES, JR., was negligent in various acts and omissions, which negligence was the proximate cause of the occurrence in question which includes, but is not limited to, the following:

1. Violating Section 545.151 of Vernon's Texas Statutes and Codes Annotated, Transportation Code, which reads in pertinent part:
 - (a) An operator approaching an intersection:
 - (1) shall stop, yield, and grant immediate use of the intersection in obedience to an official traffic-control device, including a stop sign or yield right-of-way sign; and
 - (2) after stopping, may proceed when the intersection can be safely entered without interference or collision with traffic using a different street or roadway.
2. Failing to keep a proper lookout;
3. Failing to timely apply brakes;
4. Failing to control the vehicle;

5. Failing to act and/or respond in a reasonable manner; and
6. Failing to control the speed of the vehicle.

Each of the foregoing acts of negligence was the proximate cause of the collision in question and the injuries and damages of Plaintiff.

VI.

At the time and on the occasion in question, and immediately prior thereto, Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, committed acts of omission and commission, which collectively and severally constituted negligence and which were a proximate cause of the injuries to and the damages of Plaintiff.

Defendants TWIN CITY TRANSPORTATION, INC.'s and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC's independent acts of negligence include, but are not limited to, the following:

1. Entrusting the subject truck to an unlicensed, incompetent and/or reckless driver when it knew and/or should have known the driver of the subject truck was unlicensed, incompetent, and/or reckless;
2. Hiring and continuing to retain an unsafe, unlicensed, incompetent and/or reckless driver when it knew and/or should have known that the subject driver was unsafe, unlicensed, incompetent and/or reckless;
3. Failing to properly train, supervise and/or monitor Defendant, THOMAS EDWARD HODGES, JR.;
4. Failing to maintain the vehicle in a reasonably safe or prudent manner; and
5. Failing to comply with federal and state laws and regulations concerning drivers and the maintenance or repair of motor vehicles, including, but not limited to, 49 C.F.R. 300-399, Chapter 521.459 of Vernon's Texas Statutes and Codes Annotated, Transportation Code, and Vernon's Texas Statutes and Codes Annotated, Transportation Code Titles 1, 2, and 7.

Each of the foregoing acts of negligence was the proximate cause of the collision in question and the injuries and damages of Plaintiff.

VII.

At the time and on the occasion in question, and immediately prior thereto, Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, were guilty of negligent entrustment and knew or should have known that Defendant, THOMAS EDWARD HODGES, JR., was a negligent and reckless driver.

VIII.

Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, are liable for the damages proximately caused to Plaintiff by the conduct of Defendant, THOMAS EDWARD HODGES, JR., in that Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, were the employer of Defendant, THOMAS EDWARD HODGES, JR., on the date that Defendant, THOMAS EDWARD HODGES, JR., negligently injured Plaintiff, as alleged above, and Defendant, THOMAS EDWARD HODGES, JR., was acting within the course and scope of that employment when that injury occurred or Defendants, TWIN CITY TRANSPORTATION, INC. and/or STOUGHTON RENTAL AND LEASING COMPANY, LLC, had the right to control the activities of Defendant, THOMAS EDWARD HODGES, JR.

IX.

Defendants or their agents undertook, either gratuitously or for their own benefit, obligations to hire, train, supervise, direct, instruct, and/or control the performance of workers and/or the operation of equipment or vehicles. Defendants knew or should have known that such hiring, training, supervision, direction, instruction, control, and/or operation was necessary for Plaintiff's

protection. Defendants failed to exercise reasonable care in performing those obligations. Plaintiff or a third party relied on Defendants' performance, and Defendants' performance increased Plaintiff's risk of harm.

X.

Defendants committed willful acts or omissions of gross negligence, having actual knowledge of an extreme risk of harm and consciously disregarding that risk, that were a proximate cause of the injuries to Plaintiff and the damages of Plaintiff, and for which Plaintiff is entitled to recover punitive damages, pursuant to Chapter 41 of the Texas Civil Practice and Remedies Code. Furthermore, Defendants authorized the doing and the manner of the acts or omissions, Defendants recklessly employed an unfit agent and/or employee, Defendants employed a vice-principal or one who was in a managerial capacity and was acting in the scope of employment when they committed the acts or omissions, and/or Defendants or a vice-principal or manager of Defendants ratified and/or approved the acts or omissions.

DAMAGES FOR PLAINTIFF

XI.

As a direct and proximate result of the occurrence made the basis of this lawsuit, and Defendants' acts as described herein, Plaintiff was caused to suffer and to endure anxiety, pain, and illness resulting in damages more fully set forth below.

As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff has incurred the following damages:

- A. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff for the necessary care and treatment of the injuries resulting from the accident;

- B. Reasonable and necessary medical care and expenses which, in reasonable probability, will be incurred in the future;
- C. Physical pain and suffering in the past;
- D. Physical pain and suffering which, in reasonable probability, will be suffered in the future;
- E. Mental anguish in the past;
- F. Mental anguish which, in reasonable probability, will be suffered in the future;
- G. Physical impairment in the past;
- H. Physical impairment which, in reasonable probability, will be suffered in the future;
- I. Disfigurement in the past;
- J. Disfigurement which, in reasonable probability, will be suffered in the future;
- K. Loss of earnings in the past; and
- L. Loss of earning capacity which, in reasonable probability, will be incurred in the future.

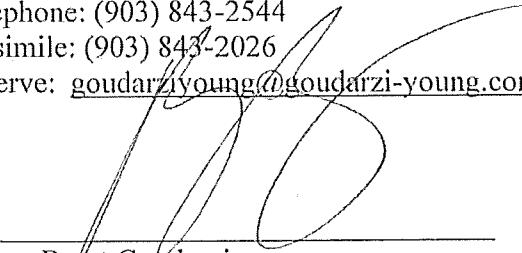
By reason of the above, Plaintiff has suffered losses and damages in a sum within the jurisdictional limits of the Court and for which this lawsuit is brought. In accordance with Texas Rule of Civil Procedure 47, Plaintiff seeks monetary relief over \$1,000,000.00.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays Defendants be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for Plaintiff against Defendants, jointly and severally, for damages in an amount within the jurisdictional limits of the Court; together with pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law; post-judgment interest at the legal rate; costs of court; and such other and further relief to which Plaintiff may be entitled at law or in equity.

Respectfully submitted,

GOUDARZI & YOUNG, L.L.P.
P.O. Drawer 910
Gilmer, Texas 75644
Telephone: (903) 843-2544
Facsimile: (903) 843-2026
E-Serve: goudarziyoung@goudarzi-young.com

By: 

Brent Goudarzi
State Bar No. 00798218
Marty Young
State Bar No. 24010502

ATTORNEYS FOR PLAINTIFF

ORIGINAL

CAUSE NO. 21-0263

YANCEY WALSH

VS.

TWIN CITY TRANSPORTATION, INC.,
STOUGHTON RENTAL AND LEASING COMPANY, LLC, AND
THOMAS EDWARD HODGES, JR.

IN THE 71ST JUDICIAL DISTRICT COURT
OF HARRISON COUNTY, TEXAS

CITATION

TO: THE SHERIFF OR ANY CONSTABLE OF TEXAS
OR ANY OTHER AUTHORIZED PERSON

THE STATE OF TEXAS
COUNTY OF HARRISON

TO: THOMAS EDWARD HODGES, JR.
2747 MOUNT HOLLY ROAD
CAMDEN, AR 71701

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION. This instrument was filed on the 19TH day of March, 2021, in the above cited cause number and court. The instrument attached describes the claim against you.

You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the District Clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than thirty days after you file your answer with the District Clerk.

TO OFFICER SERVING:

This citation is issued 22nd day of March, 2021, under my hand and seal of said Court.

SHERRY GRIFFIS
Harrison County, Texas
Harrison County Courthouse
200 W. Houston St., STE 234
Marshall, TX 75670



Sherry Lightower
BY: _____
DEPUTY CLERK

Issued at the request of
Brent Goudarzi
P.O. Drawer 910
Gilmer, Texas 75644
State Bar: 00798218

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock _____.m., on the _____ day of _____, 20_____.
Executed at _____ in _____ County at _____ o'clock _____.m.
on the _____ day of _____, 20_____, by delivering to _____
defendant, in person, a true copy of this citation together with the accompanying copy of the petition
attached thereto and I endorsed on said copy of the citation the date of delivery.
To certify which I affix my hand officially this _____ day of _____, 20_____.
Fee \$ _____

_____ of _____ County, Texas
by _____ Deputy

Affiant

On this day, _____, known to me to be the person whose signature appears on the foregoing return,
personally appeared. After being duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on
the return.

SWORN TO AND SUBSCRIBED BEFORE ME ON _____, 20_____.

Notary Public

ORIGINAL

CAUSE NO. 21-0263

YANCEY WALSH

IN THE 71ST JUDICIAL DISTRICT COURT
OF HARRISON COUNTY, TEXAS

VS.

TWIN CITY TRANSPORTATION, INC.,
STOUGHTON RENTAL AND LEASING COMPANY, LLC, AND
THOMAS EDWARD HODGES, JR.

CITATION

TO: THE SHERIFF OR ANY CONSTABLE OF TEXAS
OR ANY OTHER AUTHORIZED PERSON

THE STATE OF TEXAS
COUNTY OF HARRISON

TO: **STOUGHTON RENTAL AND LEASING COMPANY, LLC**
REGISTERED AGENT: CORPORATION SERVICE COMPANY
D/B/A CSC- LAWYERS INCORPORATING SERVICE COMPANY
211 E. 7TH STREET, SUITE 620
AUSTIN, TEXAS 78701-3218

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION. This instrument was filed on the 19TH day of March, 2021, in the above cited cause number and court. The instrument attached describes the claim against you.

You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the District Clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than thirty days after you file your answer with the District Clerk.

TO OFFICER SERVING:

This citation is issued 22nd day of March, 2021, under my hand and seal of said Court.



SHERRY GRIFFIS
Harrison County, Texas
Harrison County Courthouse
200 W. Houston St., STE 234
Marshall, TX 75670


BY: Sherry Griffis
DEPUTY CLERK

Issued at the request of
Brent Goudarzi
P.O. Drawer 910
Gilmer, Texas 75644
State Bar: 00798218

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock _____.m., on the _____ day of _____, 20_____.
Executed at _____ in _____ County at _____ o'clock _____.m.
on the _____ day of _____, 20_____, by delivering to _____
defendant, in person, a true copy of this citation together with the accompanying copy of the petition
attached thereto and I endorsed on said copy of the citation the date of delivery.

To certify which I affix my hand officially this _____ day of _____, 20_____.
Fee \$ _____

_____ of _____ County, Texas
by _____ Deputy

Affiant

On this day, _____, known to me to be the person whose signature appears on the foregoing return,
personally appeared. After being duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on
the return.

SWORN TO AND SUBSCRIBED BEFORE ME ON _____, 20_____.

Notary Public

CLERK'S CERTIFICATE OF SERVICE

I, Clerk of the District Court of Harrison County, Texas, certify that I executed the foregoing citation in Harrison County, Texas on the 22ND day of March, 2021 by placing in the U.S. Mail a true copy of this PLAINTIFF'S ORIGINAL PETITION with a true copy of the aforesaid petition attached thereto, via certified mail. **Cause No. 21-0263**, addressed to STOUGHTON RENTAL AND LEASING COMPANY, LLC, REGISTERED AGENT: CORPORATION SERVICE COMPANY D/B/A CSC-LAWYERS INCORPORATING SERVICE COMPANY, 211 E. 7TH STREET, SUITE 620, AUSTIN, TEXAS 78701-3218. Endorsed thereon "return receipt requested". After having first endorsed on said copy of said notice the date of mailing and the name and address of the within named recipient, to certify which witness my hand officially this **22ND day of March, 2021.**

Sherry Griffis

Harrison County District Clerk

CERTIFIED MAIL # 7020 1810 0001 8293 1771

By: Lori Hightower



U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

7020 1810 0001 8293 1771

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

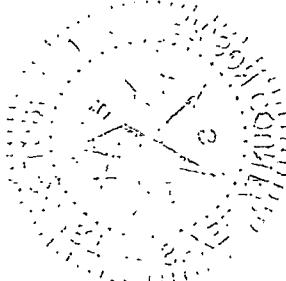
Adult Signature Restricted Delivery \$ _____

Postage _____
Postmark
Here

Postage
\$
Total Postage and Fees _____

See Agent: Corporation Service Company
7020 1810 0001 8293 1771
Street and Apt. No. apt 10 Bldg No. _____
City, State, Zip Code _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION		
COMPLETE THIS SECTION ON DELIVERY		
<p>■ Complete items 1, 2, and 3. 21-0263</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		
<p>1. Article Addressed to:</p> <p>Shoughton Rental and Leasing Company, LLC Registered Agent: Corporation Service Company 716 A CSC- Landmarks Incorporated 3 service company 211 E. 7th Street, Ste. 620 Amherst, NY 14221</p> <p>9590 9402 6458 0346 5964 20</p> <p>2. Article Number (Transfer from service label) 7020 1810 0001 8293 1771</p>		
<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Date of Delivery APR - 6 P.M.</p> <p>C. Date of Delivery APR - 6 P.M.</p>		
<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>FILED FOR RECO</p> <p>PARK COUNTY COURT</p> <p>APR - 6 P.M.</p> <p>SHERRY GRIFFS</p> <p>RECEIVED</p> <p>2. Service Type</p> <p><input type="checkbox"/> Adult Signature <input checked="" type="checkbox"/> Adult Signature/Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Insured Mail (over \$500) <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>		
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input checked="" type="checkbox"/> Adult Signature/Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Insured Mail (over \$500) <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>		
<p>4. Domestic Return Receipt</p>		

Filed 4/12/2021 2:27 PM
Sherry Griffis
District Clerk
Harrison County, Texas

Lori Hightower
Deputy

CAUSE NO. 21-0263

YANCEY WALSH,

Plaintiff(s),

VS.

**TWIN CITY TRANSPORTATION, INC.,
STOUGHTON RENTAL AND LEASING
COMPANY, LLC, AND THOMAS EDWARD
HODGES, JR.,**

Defendant(s).

IN THE DISTRICT COURT

71ST JUDICIAL DISTRICT

HARRISON COUNTY, TEXAS

RETURN OF SERVICE

Came to my hand on Friday, April 2, 2021 at 12:00 PM,
Executed at 2300 WEST 60TH STREET, LITTLE ROCK, AR 72209
within the county of PULASKI at 9:40 AM, on Thursday, April 8, 2021,
by delivering to the within named:

TWIN CITY TRANSPORTATION, INC.

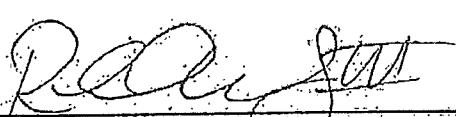
By delivering to its Registered Agent, **TERRY BURNETT, JR.**, a true copy of this

CITATION and PLAINTIFF'S ORIGINAL PETITION

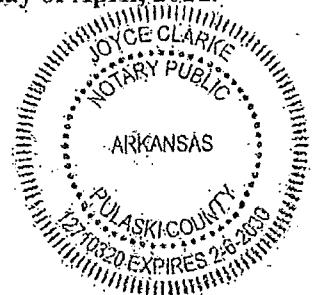
having first endorsed thereon the date of the delivery.

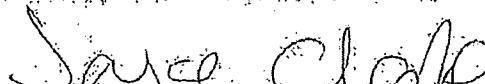
BEFORE ME, the undersigned authority, on this day personally appeared **RICHARD WHALEY III** who after being duly sworn on oath states: "My name is **RICHARD WHALEY III**, I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Arkansas. I have personal knowledge of the facts and statements contained in this affidavit and aver that each is true and correct. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude."

By:


RICHARD WHALEY III-PROCESS SERVER
served@specialdelivery.com

Subscribed and Sworn to by **RICHARD WHALEY III**, Before Me, the undersigned authority, on
this 8 day of April, 2021.




Notary Public in and for the State of Arkansas

YANCEY WALSH

CAUSE NO. 21-0263

IN THE 71ST JUDICIAL DISTRICT COURT
OF HARRISON COUNTY, TEXAS

vs.

TWIN CITY TRANSPORTATION, INC.,
STOUGHTON RENTAL AND LEASING COMPANY, LLC, AND
THOMAS EDWARD HODGES, JR.

CITATION

TO: THE SHERIFF OR ANY CONSTABLE OF TEXAS
OR ANY OTHER AUTHORIZED PERSON

THE STATE OF TEXAS
COUNTY OF HARRISON

TO: TWIN CITY TRANSPORTATION, INC.
REGISTERED AGENT: TERRY BURNETT, JR.
2300 WEST 60TH STREET
LITTLE ROCK, AR 72209

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION. This instrument was filed on the 19TH day of March, 2021, in the above cited cause number and court. The instrument attached describes the claim against you:

You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the District Clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than thirty days after you file your answer with the District Clerk.

TO OFFICER SERVING:

This citation is issued 22nd day of March, 2021, under my hand and seal of said Court.

SHERRY GRIFFIS
Harrison County, Texas
Harrison County Courthouse
200 W. Houston St.; STE 234
Marshall, TX 75670



See Rightower
BY DEPUTY CLERK

Issued at the request of
Brent Goudarzi
P.O. Drawer 910
Gilmer, Texas 75644
State Bar: 00798218

OFFICER/AUTHORIZED PERSON RETURN

Fee \$ _____

____ of _____ County, Texas
by: _____ Deputy

Affiant

On this day, _____, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME ON, 20

**RETURN / AFFIDAVIT
PROOF / ATTACHED**

Notary Public